THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 19268 of 2007

Date: 12.09.2007

Between:

Smt. Prameelamma.

..... PETITIONER

AND

The Government of India, rep. by its
Secretary, Ministry of Home Affairs,
South Block, New Delhi and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 19268 of 2007

Order:

The petitioner, who is working as C.R.P.F. Mahila Head Constable, has filed this writ petition assailing the order dated 30.08.2007, issued by the 4th respondent, transferring her from Hyderabad to New Delhi on the ground of long standing.

The petitioner states that her husband, who is also employee of C.R.P.F., is working in Hyderabad, and since there is strained relationship between her and her husband, they are living separately, and their school going children are in her custody, and except her there is no one to look after her minor children, and if she is transferred in the middle of the academic year, the education of her school going children will be adversely affected. She further states that she is entitled to seek premature retirement from service under voluntary retirement scheme on completion of 20 years of service, and she, having already completed 17 years of service, would take voluntary retirement upon completion of three years, hence she has to be posted in Hyderabad only. Her further case is that she made a representation dated 06.09.2007 requesting the 3rd respondent to permit her to stay at Hyderabad, but the same is not yet considered by the respondents. Hence, she filed the present writ petition.

Sri A. Rajashekar Reddy, learned Assistant Solicitor General appearing for the respondents, on instructions, submits that the petitioner is working at Hyderabad since last 4 years 5 months, whereas the normal tenure for transfer is three years. He further submits that taking into consideration the request made by the petitioner, the

respondents time and again extended the stay of the petitioner at Hyderabad, and finally the impugned transfer orders are issued, and after issuing the impugned transfer orders also the petitioner has made a request for extension of time, which was also granted. He further submits that if the petitioner has any grievance, she has to first report at the transferred place and then make a representation for reconsideration of her transfer order.

Heard the learned counsel for the petitioner and the learned Assistant Solicitor General for the respondents.

Admittedly, though the normal tenure for transfer is three years, the petitioner was accommodated for about four and half years at Hyderabad, and now she is transferred from Hyderabad to New Delhi by the impugned transfer orders on the ground of her long standing at the present place. The scope of interference in the orders of transfer is well settled. Transfer is an incidence of service, and is made keeping in view the administrative exigencies and needs of the organization. This Court normally does not interfere in matter of transfer, unless it is shown that the transfer has been effected *mala fide* or for extraneous reasons. If the petitioner has any grievance, she has to first report at the transferred place and then make a representation for reconsideration of her transfer order, explaining her grievances, and on filing such representation, the respondents shall consider the same and pass appropriate orders in accordance with law.

With the above observation, the writ petition is dismissed. No costs.

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N.V. RAMANA, J.

Date: 12.09.2007
Nsr